

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Chester C. Graham,

Court File No.: _____

Plaintiff,

vs.

**DEFENDANT MARKETING
LABS LLC'S
NOTICE OF REMOVAL**

Marketing Labs, L.L.C.,
d/b/a DirectLoanTransfer,
d/b/a DirectLoanTransferLegit,
d/b/a SameDayPaydayLoans,
d/b/a PaydayLoansOnline,
d/b/a MidweekPay,

Defendant.

PLEASE TAKE NOTICE, under Title 28 of the United States Code, Sections 1331, 1441, and 1446, Defendant Marketing Labs LLC improperly identified as Marketing Labs, L.L.C. ("Defendant") submits this Notice of Removal of the above-captioned action to the United States District Court for the District of Minnesota. In support of its Notice of Removal of the above-captioned action from the District Court for the Third Judicial District, County of Rice, State of Minnesota, Defendant states as follows:

1. Plaintiff commenced this action against Defendant by service of a Summons and Complaint on the Minnesota Secretary of State on June 4, 2019. A copy of the Summons and Complaint is attached as Exhibit A.

2. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1331, in that it arises under the laws of the United States. Specifically, in his Complaint,

Plaintiff alleges violations of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, and associated regulations promulgated at 47 CFR 64.1200.

3. Removal to this Court is proper under the provisions of 28 U.S.C. §§ 1441 and 1446.

4. Pursuant to 28 U.S.C. § 1446(b)(3), this notice is timely filed with the court within 30 days of Defendant’s receipt of the Summons and Complaint.

5. Exhibit A – Plaintiff’s Summons and Complaint are the only process, pleadings, or other orders that have been served upon Defendant.

6. Pursuant to 28 U.S.C. § 1446(d), concurrent with the filing of this Notice of Removal, Defendant is filing a Notice of Filing of Notice of Removal with the District Court for the Third Judicial District, County of Rice, State of Minnesota and serving this Notice of Removal and the Notice of Filing Notice of Removal upon Plaintiff. A copy of the Notice of Filing Notice of Removal is attached as Exhibit B.

WHEREFORE, Defendant prays that all further proceedings in this civil action be conducted in the United States District Court for the District of Minnesota as provided by law.

MEAGHER & GEER, P.L.L.P.

Dated: July 3, 2019

By: s/Nicholas J. O’Connell
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